

House Bill 1395

By: Representatives Kidd of the 141st, Ashe of the 56th, Oliver of the 83rd, Millar of the 79th, Powell of the 29th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating to general provisions regarding buildings, so as to provide a definition; to provide that new slab-on-grade residential structures shall have certain features to provide for accessibility; to provide for exceptions; to provide for penalties; to provide for preemption; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating to general provisions regarding buildings, is amended by adding a new Code section to read as follows:

"8-2-4.

(a) As used in this Code section, the term 'new slab-on-grade residential structure' means a new single-family detached or attached house used as a dwelling place constructed such that the main level is built as a slab-on-grade structure as defined by the IBC building code. The term shall not include a structure that is being renovated or repaired.

(b) A new slab-on-grade residential structure in this state shall have the following features:

(1) There shall be at least one exterior door that is 36 inches wide on the ground floor that does not have a step or threshold that exceeds one-half inch in height and can be accessed from the driveway, walkway, or garage floor with a grade no steeper than 1:12. The driveway shall have an unload zone that does not slope more than 1:12, and such unload zone shall connect to either the sidewalk or garage areas for access into the residence through the door described in this paragraph;

(2) Each interior door on the ground floor shall have a clear opening width of at least 32 inches unless the door provides access only to a closet of less than 15 square feet in area. Clear opening width of swinging doorways shall be measured between the face of the door and the doorstop when the door is open at a 90 degree angle;

(3) Each hallway on the ground floor shall have a clear width of at least 36 inches net of any projections, shall be level, and shall have ramped or beveled changes at any threshold. Such threshold shall not exceed one-half inch in height;

(4) There shall be at least one half bathroom on the ground floor. Any bathroom on the main level shall have a 30 inch by 48 inch maneuverable area in front of the commode and sink and shall have a 30 inch by 46 inch maneuverable area in front of a tub or shower if such bath is a full bath. The bathroom wall of such bathroom shall be reinforced for potential installation of grab bars beside each commode, bathtub, and shower, if present. Such reinforced area shall, at a minimum, measure 42 inches long and six inches high, with a center line 33 to 36 inches above the floor;

(5) Each electrical panel, electrical breaker box, light switch, and thermostat on the ground floor shall not be higher than 48 inches above the floor measuring to the top of such electrical device;

(6) Each electrical plug or other receptical on the ground floor, excluding countertop devices, shall be at least 15 inches above the floor measuring to the top of such electrical device;

(7) The main electrical panel shall be located inside the building on the ground floor and shall not be higher than 48 inches above the floor measuring from the top of such panel; and

(8) Kitchens shall be designed to allow for a 36 inch clear passage of a wheelchair net of any projections, including countertop, hardware, and appliance projections.

(c) Counties and municipalities shall be authorized and directed to provide by ordinance for an exception to the requirements of subsection (b) of this Code section for new construction if the cost of grading and other improvements to the terrain required to meet the requirements of this Code section are unreasonably expensive.

(d) The ordinances adopted by counties and municipalities pursuant to subsection (c) of this Code section shall provide procedures and requirements for builders to apply for the the exemption authorized in subsection (c) of this Code section.

(e) This Code section shall not apply to a new slab-on-grade residential structure if the contract for the construction of such new slab-on-grade residential structure was entered into prior to July 1, 2010.

(f) Any person who constructs a new slab-on-grade residential structure in violation of this Code section shall be guilty of a misdemeanor.

(g) The provisions of this Code section shall prohibit counties and municipalities from adopting and enforcing local ordinances that provide accessibility requirements that are more stringent than the requirements of this Code section."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.